



Practitioner's Docket No. 57471/03-380

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Nally et al.
Application No.: 10/681,048
Filed: 10/08/2003
Confirmation No.: 2716
For: REINFORCED CUE STICK
Group No.: 3711
Examiner: Graham, Mark S.

**Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450**

**REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. 1.114)**

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. Section 1.8(a)

37 C.F.R. Section 1.10

☒ with sufficient postage as first class mail.

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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office (703) _____.

Date: April 21, 2005

Signature

Amy C. Walker

(type or print name of person certifying)

04/26/2005 SFELEKE1 00000072 10681048

01 FC:1801

790.00 0P

(Request for Continued Examination (RCE))--page 1 of 6

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. Section 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted:

- i. ☒ Prior to abandonment of the application
- ii. ☐ Payment of the issue fee
 - ☐ Prior to payment of issue fee
 - ☐ Issue fee has been paid but a petition under Section 1.313 has been granted
- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
 - ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or
 - ☐ Commencement of a civil action under 35 U.S.C. 146
 - ☐ Prior to the filing of such appeal or commencement of civil action
 - ☐ Such appeal or commencement of civil action has been terminated

ENCLOSURES

3. Enclosed herewith is/are:

- ☐ An information disclosure statement (37 C.F.R. Section 1.98)
 - ☐ Form PTO-1449 (PTO/SB/08A and 08B)
- ☒ An amendment
- ☐ New arguments
- ☐ New evidence in support of patentability
- ☐ Other:

FEE FOR REQUEST (37 C.F.R. Section 1.17(e)).

4. This application is on behalf of:

☐ Small entity \$ 395.00

☒ Other than a small entity \$790.00

Continued Prosecution Request Fee \$ 790.00

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

(Col.1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra		Rate Addit. Fee		Rate Addit. Fee	
Total	15	Minus	20	= 0	x \$25 =	\$.00		x \$50 =	\$.00
Indep.	4	Minus	3	= 1	x \$100 =	\$		x \$200 =	\$200
[] First Presentation of Multiple Dependent Claim						+ \$140 =	\$	+ \$280 =	\$.00
					Total	<u>\$.00</u>	<i>OR</i>	Total	<u>\$200</u>
					Addit.			Addit. Fee	
					Fee				

(c) ☐ No additional fee is required.

OR

(d) ☒ Total additional fee required is \$ 200.00.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

Extension for <u>(months)</u>	Fee for <u>small entity</u>	Fee for other than <u>small entity</u>
<input type="checkbox"/> one month	\$ 60	\$ 120
<input type="checkbox"/> two months	\$225	\$ 450
<input type="checkbox"/> three months	\$510	\$ 1,020
<input type="checkbox"/> four months	\$795	\$1,590

Fee \$.00

If an additional extension of time is required, please consider this a petition therefor.

- ☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$.00

OR

- (b) ☒ Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e)) \$ 790.00

Fee(s) for additional claims (if any) (Section 1.16(b)-(d)) \$ 200.00

Extension of time fee (if any) (Section 1.17(a)(1)-(4)) \$.00

Total Fee(s) Due: \$ 990.00

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

☐ A check is attached for the sum of \$ _____

☐ Charge Account 06-0540 the sum of \$ _____

☐ A duplicate of this Cover Sheet is attached.

☒ Charge Credit Card the sum of \$ 990.00

(Credit Card Payment Form (PTO-2038) attached)

☒ A duplicate of this Cover Sheet is attached.

9. Please charge any required additional fee(s) or refund any credits for Section 1.17(e), Section 1.16(b)-(d) and/or Section 1.17(a)(1)-(4) to

☒ PTO Deposit Account 06-0540

☐ Credit Card (Credit Card Payment Form (PTO-2038) attached.)

Respectfully submitted,

4-21-05
DATE

Reg. No.: 41,143

Tel. No.: (918) 599-0621

Customer No.: 22206

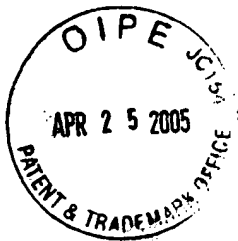
308612.1

James F. Lea III
SIGNATURE OF PRACTITIONER

James F. Lea III
(type or print name of practitioner)

321 S. Boston Ave., Suite 800
P.O. Address

Tulsa, OK 74103-3318



PATENT
Application No. 10/681,048
Attorney Docket No.: 57471/03-380
Amendment

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/681,048
Applicant: Nally et al.
Filed: 10/08/2003
Title: REINFORCED CUE STICK

Confirmation No.: 2716
Examiner: Graham, Mark S.
Customer No.: 22206
TC/A.U.: 3711

Mail Stop RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT ACCOMPANYING REQUEST
FOR CONTINUED EXAMINATION (RCE)

Dear Sir:

Introductory Comments

This paper is submitted in response to the Advisory Action mailed April 14, 2005.

CERTIFICATION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 with sufficient postage as first class mail by Amy C. Walker.

Date: April 21, 2005

Amy C. Walker

It is understood this paper is filed within the deadline set for response, however, please consider this paper to constitute a One Month Petition for Extension of Time should such be required. Applicant submits herewith fee payments for: Continued Prosecution (\$790) and (1) additional independent claim in excess of the allowed three (3) (\$200) totaling \$990. Please refer to the Request for Continued Examination (RCE) Transmittal Cover for detailed fee information. If any additional extension of time fee, or other fee is required by virtue of the filing of this paper, please consider this a general authorization to charge Deposit Account No. 06-0540 for the same; likewise instructions hold for any refunds or credits.